

Application No. 10/085,454
Substitute Amendment dated March 21, 2005
Response to Decision on Petition Under 37 CFR 1.78(a)(3)

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (Original) An asymmetrical shaped card and case, comprising:

a card for use with an electronic payment mechanism, said card having an upper surface and a lower surface, each of said surfaces defining a surface area on oppositely oriented front and back faces of said card,

said card having a first card end with at least one arcuate portion formed of a first card radius, said card having a second card end with at least one arcuate portion formed of a second card radius, said second card radius being less than said first card radius,

said card having a first card connecting portion on a first side of said card between said first end and said second end, said first card connecting portion having at least one convexly curved portion, said card having a second card connecting portion on a second side of said card between said first end and said second end, said second card connecting portion having at least one concavely curved portion,

a case having upper and lower cover portions, each of said upper and lower cover portions having a first cover end with at least one arcuate portion formed of a first cover radius and a second cover end with at least one arcuate portion formed of a second cover radius,

each of said upper and lower cover portions having a first cover connecting portion on a first side of said cover portion between said first cover end and said second cover end, said first cover connecting portion having at least one concavely curved portion, each of said upper and lower cover portions having a second cover connecting portion on a second side of said cover portion between said first cover end and said second cover end, said second cover connecting portion having at least one convexly curved portion,

said card being interposed between said upper cover portion and said lower cover portion, said card being movable between said upper and lower cover portions from a

Application No. 10/085,454

Substitute Amendment dated March 21, 2005

Response to Decision on Petition Under 37 CFR 1.78(a)(3)

closed position in which a majority of the upper surface area of said card is enclosed by said cover portions to an open position in which a majority of the lower surface area of said card is exposed from cover portions to permit access to said card.

2. (Original) The card and case of claim 1, wherein said card is pivotally connected to said upper and said lower cover portions.

3. (Original) The card and case of claim 2 wherein said card is removable from said pivotal connection to said upper and said lower cover portions.

4. (Original) The card and case of claim 3 wherein said card has a knurled opening with an open end for said pivotal connection to said upper and said lower cover portions.

5. (Original) The card and case of claim 4 wherein said knurled opening includes a substantially circular portion to permit pivotal rotation of said card relative to said upper and lower cover portions.

6. (Original) The card and case of claim 2 wherein said pivotal connection is formed by a pivot pin connecting said upper and lower portions.

7. (Original) The card and case of claim 6 wherein said pivotal connection is formed by a generally cylindrically shaped rivet.

8. (Original) The card and case of claim 6 wherein said pin has an aperture therein to permit passage of a key chain loop.

9. (Original) The card and case of claim 1 wherein said first cover end of said first cover radius forms a rounded portion of said arcuate portion for at least 180 degrees.

Application No. 10/085,454
Substitute Amendment dated March 21, 2005
Response to Decision on Petition Under 37 CFR 1.78(a)(3)

10. (Original) The card and case of claim 8 wherein said concave curvature of said first cover connecting portion blends smoothly into said rounded portion of said first cover end.

11. (Original) The card and case of claim 8 wherein said convex curvature of said second cover connecting portion blends smoothly into said rounded portion of said first end.

12. (Original) The card and case of claim 1 wherein said second cover end of said first cover radius forms a rounded portion of said arcuate portion for at least 180 degrees.

13. (Original) The card and case of claim 12 wherein said concave curvature of said first cover connecting portion blends smoothly into said rounded portion of said second end.

14. (Original) The card and case of claim 12 wherein said convex curvature of said second cover connecting portion blends smoothly into said rounded portion of said second end.

15. (Original) The card and case of claim 1 wherein said convex portion of said upper surface of first card connecting portion of said card extends outside said concave portion of said first cover connecting portion of said cover when said card is enclosed within said cover portions in said closed position.

16. (Original) The card and case of claim 1 wherein said upper case portion includes a clip member attached thereto for holding currency against said upper case portion.

17. (Original) The card and case of claim 1 wherein said upper case portion includes a clip member attached thereto for attachment of said case to another item.

Application No. 10/085,454
Substitute Amendment dated March 21, 2005
Response to Decision on Petition Under 37 CFR 1.78(a)(3)

18. (Original) The card and case of claim 1 wherein said lower case portion includes a microprocessor chip embedded therein.

19. (Original) The card and case of claim 18 wherein said microprocessor chip communicates with an associated electronic payment mechanism by a radio signal transmitted therebetween.

20. (Original) The card and case of claim 19 wherein said radio signal causes communication with said associated electronic payment mechanism and identification of information associated with said card, said electronic payment mechanism causing transmission of information relating to information contained on said card.

21. (Original) The card and case of claim 1 wherein at least one of said upper and lower cover portions includes bar code information associated with said card.

22. (Original) The card and case of claim 1 wherein said case includes a plurality of labels having bar coded information thereon.

23. (Original) The card and case of claim 1 wherein said upper and lower case portions and said card are thin, elongated members formed of a plastic substrate.

24. (Original) The card and case of claim 1 wherein said upper and lower cover portions are thin, elongated members formed of a plastic substrate and said card is a thin, elongated member formed of a paper substrate.

25. (Original) The card and case of claim 23 wherein said upper cover portion includes a coarse material on at least a portion of its surface to create a frictional resistance to assist pivotal movement of said cover portions with respect to said card.

26. (Original) The card and case of claim 25 wherein said coarse material comprises ridge portions formed on said surface.

Application No. 10/085,454
Substitute Amendment dated March 21, 2005
Response to Decision on Petition Under 37 CFR 1.78(a)(3)

27. (Original) The card and case of claim 1 wherein said card include a recessed portion on its upper surface to assist pivotal movement of said card with respect to said cover portions.

28. (Original) The card and case of claim 1 wherein said lower surface of said card includes a magnetic stripe that contains information relating to said card.

29. (Original) The card and case of claim 28 wherein said magnetic stripe extends between said arcuate first card end and said arcuate second card end, said magnetic stripe information being held on said stripe between said arcuate first card end and said arcuate second card end.

30. (Original) The card and case of claim 28 wherein said second card connecting portion extends between two points formed on said lower surface of said card, said two points forming a line therebetween that is substantially parallel to said magnetic stripe.

31. (Original) The card and case of claim 30 wherein said two points form contact points for said card in an associated magnetic stripe reader.

32. (Currently Amended) A card for use with an electronic payment mechanism, said card having an upper surface and a lower surface, each of said surfaces defining a surface area on oppositely oriented front and back faces of said card, each of said surfaces being shaped with respect to a centerline along said surface, said card having a magnetic stripe along one of said surfaces, said magnetic stripe containing information that relates to said card, said magnetic stripe containing information relating to credit purchases by a person associated with said card, said card having a first card end with at least one arcuate portion formed of a first card radius, said card having an aperture formed therein to permit passage of a key chain loop therethrough, said aperture being spaced from said centerline along said surface of said card.

Application No. 10/085,454
Substitute Amendment dated March 21, 2005
Response to Decision on Petition Under 37 CFR 1.78(a)(3)

33. (Previously Amended) The card of claim 32 wherein said card has a second card end with at least one arcuate portion formed of a second card radius.

34. (Currently Amended) ~~The card of claim 33 wherein, A card for use with an electronic payment mechanism, said card having an upper surface and a lower surface, each of said surfaces defining a surface area on oppositely oriented front and back faces of said card, each of said surfaces being shaped with respect to a centerline along said surface, said card having a magnetic stripe along one of said surfaces, said magnetic stripe containing information that relates to said card, said magnetic stripe containing information relating to credit purchases by a person associated with said card, said card having a first card end with at least one arcuate portion formed of a first card radius, said card having a first card connecting portion on a first side of said card between said first end and said second end, said first card connecting portion having at least one convexly curved portion, said card having a second card connecting portion on a second side of said card between said first end and said second end, said second card connecting portion having at least one concavely curved portion.~~

35. (Canceled)

36. (Previously Amended) The card of claim 34 wherein said second card radius is less than said first card radius.

37. (Original) An asymmetrical shaped card and case, comprising:
a card for use with an electronic payment mechanism, said card having an upper surface and a lower surface, each of said surfaces defining a surface area on oppositely oriented front and back faces of said card, each of said surfaces being asymmetrically shaped with respect to a vertical centerline along said surface
said card having a magnetic stripe along one of said surfaces, said magnetic stripe containing information relating to credit purchases by a person associated with said card,
a case having upper and lower cover portions, said card being interposed between and removably connected to said upper cover portion and said lower cover portion, said

Application No. 10/085,454
Substitute Amendment dated March 21, 2005
Response to Decision on Petition Under 37 CFR 1.78(a)(3)

card being movable between said upper and lower cover portions from a closed position in which a majority of the upper surface area of said card is enclosed by said cover portions to an open position in which a majority of the lower surface area of said card is exposed from cover portions to permit access to said card.

38. (Original) An asymmetrical shaped card and case, comprising:

a card for use with an electronic payment mechanism, said card having an upper surface and a lower surface, each of said surfaces defining a surface area on oppositely oriented front and back faces of said card,

said card having a first card end with at least one arcuate portion formed of a first card radius, said card having a second card end with at least one arcuate portion formed of a second card radius, said second card radius being less than said first card radius,

said card having a first card connecting portion on a first side of said card between said first end and said second end, said first card connecting portion having at least one convexly curved portion, said card having a second card connecting portion on a second side of said card between said first end and said second end, said second card connecting portion having at least one concavely curved portion,

a case having upper and lower cover portions, each of said upper and lower cover portions having a first cover end with at least one arcuate portion formed of a first cover radius and a second cover end with at least one arcuate portion formed of a second cover radius,

each of said upper and lower cover portions having a first cover connecting portion on a first side of said cover portion between said first cover end and said second cover end, said first cover connecting portion having at least one concavely curved portion, said concave curvature of said first cover connecting portion blending smoothly into said rounded portion of said first cover end,

each of said upper and lower cover portions having a second cover connecting portion on a second side of said cover portion between said first cover end and said second cover end, said second cover connecting portion having at least one convexly curved portion, said convex curvature of said second cover connecting portion blending smoothly into said rounded portion of said first end,

Application No. 10/085,454
Substitute Amendment dated March 21, 2005
Response to Decision on Petition Under 37 CFR 1.78(a)(3)

said card being interposed between and pivotally connected to said upper cover portion and said lower cover portion, said card being movable between said upper and lower cover portions from a closed position in which a majority of the upper surface area of said card is enclosed by said cover portions to an open position in which a majority of the lower surface area of said card is exposed from cover portions to permit access to said card,

said lower surface of said card includes a magnetic stripe that contains information relating to said card, said magnetic stripe extending between said arcuate first card end and said arcuate second card end, said magnetic stripe information being held on said stripe between said arcuate first card end and said arcuate second card end, said second card connecting portion extending between two points formed on said lower surface of said card, said two points forming a line therebetween that is substantially parallel to said magnetic stripe, said two points forming contact points for said card in an associated magnetic stripe reader.

39. (Withdrawn) A process for making an asymmetrical shaped card for use with an electronic payment mechanism, said card having an upper surface and a lower surface, each of said surfaces defining a surface area on oppositely oriented front and back faces of said card, each of said surfaces being asymmetrically shaped with respect to a vertical centerline along said surface,

said process involving the steps of providing a sheet of core stock base material for the card,

applying a surface laminate material to said sheet of core stock base material, applying a magnetic stripe to the laminate surface by a hot stamping process, and punching the asymmetrical shaped card from said sheet of base material.

40. (Previously Amended) An asymmetrical shaped card for use with an electronic payment mechanism, said card having an upper surface and a lower surface, each of said surfaces defining a surface area on oppositely oriented front and back faces of said card, each of said surfaces being asymmetrically shaped with respect to a centerline along said surface, said card having a magnetic stripe along one of said surfaces, said

Application No. 10/085,454
Substitute Amendment dated March 21, 2005
Response to Decision on Petition Under 37 CFR 1.78(a)(3)

magnetic stripe containing information relating to credit purchases by a person associated with said card, said card having a first card end with at least one arcuate portion formed of a first card radius.

41. (Previously Amended) The card of claim 40 wherein each of said surfaces being asymmetrically shaped with respect to a horizontal centerline along said surface.

42. (Previously Amended) The card of claim 40 wherein each of said surfaces being asymmetrically shaped with respect to a vertical centerline along said surface.

43. (Currently Amended) A non-rectangular, non-circular shaped card for use with an electronic payment mechanism, said card having an upper surface and a lower surface, each of said surfaces defining a surface area on oppositely oriented front and back faces of said card, each of said surfaces having at least two edges that do not form a 90 degree angle with respect to one another, said card having a magnetic stripe along one of said surfaces, said magnetic stripe containing information that relates to said card relating to credit purchases by a person associated with said card, said card having a first card end with at least one arcuate portion formed of a first card radius, said card having a second card end with at least one arcuate portion formed of a second card radius.

44. (Canceled)

45. (Currently Amended) The card of claim 43 further comprising: said card having a first card connecting portion on a first side of said card between said first end and said second end, said first card connecting portion having at least one convexly curved portion, said card having a second card connecting portion on a second side of said card between said first end and said second end, said second card connecting portion having at least one concavely curved portion said card having a second card end with at least one arcuate portion formed of a second card radius.

46. (Withdrawn) A non-conventional shaped card for use with an electronic payment mechanism, said card having an upper surface and a lower surface, each of said

Application No. 10/085,454
Substitute Amendment dated March 21, 2005
Response to Decision on Petition Under 37 CFR 1.78(a)(3)

surfaces defining a surface area on oppositely oriented front and back faces of said card, each of said surfaces having at least a first two edges spaced apart a first distance, each of said surfaces having at least a second two edges that are spaced apart a second distance, said second distance being different from said first distance.

47. (Withdrawn) The card of claim 46 wherein said card has a magnetic stripe along one of said surfaces, said magnetic stripe containing information that relates to said card.

48. (Withdrawn) The card of claim 46 further comprising:
said card having a first card end with at least one arcuate portion, said card having a second card end with at least one arcuate portion, said first and second card ends together forming an I-shape for said card.

49. (Withdrawn) A non-conventional shaped card for use with an electronic payment mechanism, said card having an upper surface and a lower surface, each of said surfaces defining a surface area on oppositely oriented front and back faces of said card, each of said surfaces having four edges that are essentially equal in length, said edges together substantially forming a square shape for said card.

50. (New) A card for use with an electronic payment mechanism and an associated case, said card having an upper surface and a lower surface, each of said surfaces defining a surface area on oppositely oriented front and back faces of said card, each of said surfaces being shaped with respect to a centerline along said surface, said card having a magnetic stripe along one of said surfaces, said magnetic stripe containing information that relates to said card, said magnetic stripe containing information relating to credit purchases by a person associated with said card, said card having an aperture formed therein to permit passage of a key chain loop therethrough, said aperture being spaced from said centerline along said surface of said card, said card being interposed between upper and lower cover portions of an associated case, said card being movable between said upper and lower cover portions from a closed position in which a majority of

Application No. 10/085,454
Substitute Amendment dated March 21, 2005
Response to Decision on Petition Under 37 CFR 1.78(a)(3)

the upper surface area of said card is enclosed by said cover portions to an open position in which a majority of the lower surface area of said card is exposed from cover portions to permit access to said card.

51. (New) The card and associated case of claim 50 wherein card and said upper and lower cover portions of said case are connected by a key chain loop.

52. (New) The card and associated case of claim 50 wherein at least one of said upper cover portion and said lower cover portion of said case includes a coarse material on at least a portion of its surface to create a frictional resistance to assist pivotal movement of said cover portion with respect to said card.